

# **PINK COLORED BIRTH CERTIFICATE CORRECTIONS**

Public Health Law §4176 authorizes the correction of errors made in filed birth and death certificates. To correct an error, the applicant must submit a correction application and documentary proof supporting the correction. Local registrars are authorized to make corrections and may consult with Vital Records staff to determine if sufficient documentary proof supporting the correction has been submitted.

## **LOCAL REGISTRAR RESPONSIBILITIES**

1. Carefully review the correction application and supporting proof.
2. Contact the Vital Records Section Correction Unit, if necessary, for assistance reviewing the application and supporting proof.
3. If the application does not support the correction, notify the applicant that additional proof is required.
4. Correct the local certificate, through interlineation (see below), if the application and documentation supports the correction.
5. **Do not correct the state copy of the certificate.**
6. Sign the application to indicate the local certificate was corrected.
7. Submit the application and supporting proof to the Department of Health so that the state copy may be corrected.
8. Certify and submit copies of the supporting proof, if the applicant does not want to send the original documents to the State Department of Health.

## **INTERLINEATION**

Interlineation is the method by which birth and death certificates are corrected and is applied as follows:

1. Line out the incorrect information so that it is still legible;
2. Enter by typing or neatly printing the correct information above or adjacent to the incorrect information;
3. Place an asterisk (\*) in the corrected item;
4. Place a corresponding asterisk (\*) in one of the margins, the letters CORR for correction or SUPP RPT for supplemental report of a given name as the case may be, the name or initials of the staff person correcting the record, and the date the correction was made; and
5. Keep a copy of the application for the correction and supporting proof so that they may be retrieved if required to document the authenticity of the correction.

## **CORRECTING A BIRTH CERTIFICATE CREATED ON STATEWIDE PERINATAL DATA SYSTEM (SPDS)**

Follow steps 1 through 3 listed above. On the bottom of the certificate, under Section 12, Information Added or Corrected, write the Item # which was corrected, Date of Correction, your initials under Authorization and list the Original Information listed on the birth certificate that was corrected.

## **BIRTH CERTIFICATE CORRECTIONS**

**Never correct a birth certificate amended under Public Health Law Section 4138** unless directed to do so by the New York State Department of Health. Amended birth certificates are new birth certificates prepared by the New York State Department of Health resulting from an adoption, legal name change or court determination of parentage. Refer all requests to correct an amended birth certificate to the Vital Records Section. **Refer all requests to correct the same item a second time to the Vital Records Section.**

## **CORRECTING SPECIFIC BIRTH CERTIFICATE ITEMS**

The following are commonly corrected death certificate items and the types of documentation required:

**FIRST OR MIDDLE NAMES, AND GENDER** – To correct these items, one of the following supporting documents must be submitted:

1. Hospital record or delivering physician's office record of the birth;
2. Baptismal, church or synagogue record established within 12 years of the date of birth;
3. State or federal census record, taken prior to age 12; or
4. School record established within 12 years of the date of birth or letter signed by school official based on school record established within 12 years of the date of birth.

**Note: DOH-2757, Affidavit to Correct Child's Given Names Under Age of 5, is no longer in use.**

**Note: If none of the above documents are available, a court order is required to change the person's first or middle name.**

**LAST NAME** – To correct a minor misspelling of the child's last name or parent's last name on a birth certificate, one of the following documents must be submitted:

1. Naturalization Certificate or Immigration Card (issued prior to the child's date of birth);
2. Parents' marriage record (date of marriage must be before child's birth);
3. Older sibling's birth certificate; or
4. Hospital record of the birth (created at the time birth).

**Note: A minor misspelling would be characterized by the transposition of two letters, the deletion of a letter, etc.**

**Note: If none of the above documents are available, a court order is required to change the person's last name.**

**DATE AND TIME OF BIRTH** – To correct the date and time of birth, a hospital record created at the time of birth or the delivering physician's office record of the birth must be submitted. Date of birth can also be corrected using:

1. Baptismal, church or synagogue record established within 12 years of the date of birth; or
2. School record established within 12 years of the date of birth or a letter signed by a school official based on the school record established within 12 years of the date of birth.

**PARENTS' NAMES, DATES AND PLACES OF BIRTH** – To correct the parents' first, middle or last name on birth certificate, one of the following documents must be submitted:

1. Hospital record of the birth (workbook used to create certificate);
2. Naturalization Certificate or Immigration Card (issued prior to the child's date of birth);
3. Older sibling's birth certificate with the same parent(s) listed; or
4. Parent's marriage license (date of marriage must be before child's birth).

**PARENTS' CURRENT LAST NAME** – Historical Photo ID of the parent whose name is being corrected (ID must have been valid and issued prior to the child's date of birth).

**Note: Great care must be taken to ensure that the correction of parents' names does not involve a change of identity. For example, a mother who has registered in the hospital under one identity may not change her name on the birth certificate without a court order. See Public Health Law Section 4138(2)(b).**

**PARENTS' SOCIAL SECURITY NUMBERS** – Only minor errors are corrected. We do not completely change a social security number. To correct minor errors of the parents' Social Security Numbers, one of the following documents must be submitted:

1. Older sibling's birth certificate; or
2. Social Security Card or a statement on Social Security Administration letterhead.